

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

NICOLE SWANN

Plaintiff,
vs.

Case No.: 2:12-CV-00165-AWA-FBS

BARCLAY TOWERS II TIME SHARE
OWNERS ASSOCIATION, INC., a
Virginia Corporation

Defendant.
_____ /

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

COMES NOW the Plaintiff, Nicole Swann, in the above-styled cause pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure and gives notice of voluntarily dismissing Barclay Towers II Time Share Owners Association, Inc., without prejudice, as the complaint has been amended to substitute the proper party Defendant.

Dated May 3, 2012

Respectfully submitted,

/s/ Jonathan H. Walker

Jonathan H. Walker, Esquire
Virginia Bar No. 24300

Mason, Mason, Walker, & Hedrick, P.C.

11848 Rock Landing Dr, #201

Newport News, VA 23606

Telephone: (757) 873-3909

Facsimile: (757) 873-1781

jwalker@masonwalker.com

Local Counsel

SCHWARTZ, ROLLER & ZWILLING

Attorneys for Plaintiffs

Michael A. Chester, Esquire

600 Vestavia Parkway, Suite 251

Birmingham, AL 35216

Telephone: (205) 822-2701

Facsimile: (205) 822-2702

mchester@szalaw.com

Alabama Bar No. 3904-L74C

Pro hac vice Lead Counsel

CERTIFICATE OF SERVICE

I certify that on May 3, 2012, I will electronically file the foregoing Notice of Voluntary Dismissal Without Prejudice via the CM/ECF System, which will then send a notification of such filing (NEF) to the following:

Jonathan H. Walker
Virginia Bar No. 24300
Mason, Mason, Walker & Hedrick, PC
11848 Rock Landing Dr., Suite 201
Newport News, VA 23606
Telephone: (757) 873-3909
Facsimile: (757) 873-1781
jwalker@masonwalker.com
Local Counsel

SCHWARTZ, ROLLER & ZWILLING
Attorneys for Plaintiffs
Michael A. Chester, Esquire
600 Vestavia Parkway, Suite 251
Birmingham, AL 35216
Telephone: (205) 822-2701
Facsimile: (205) 822-2702
mchester@szalaw.com
Alabama Bar No. 3904-L74C
Pro hac vice Lead Counsel

and via U.S. postal mail to:

Samuel R. Brown, II, Registered Agent
Barclay Towers II Time Share Owners Association, Inc.
303 34th St., Suite 101
Virginia Beach, VA 23451

/s/ Jonathan H. Walker
Jonathan H. Walker
Virginia Bar No. 24300
Mason, Mason, Walker & Hedrick, PC
11848 Rock Landing Dr., Suite 201
Newport News, VA 23606
Telephone: (757) 873-3909
Facsimile: (757) 873-1781
jwalker@masonwalker.com
Local Counsel

SCHWARTZ, ROLLER & ZWILLING

Attorneys for Plaintiffs

Michael A. Chester, Esquire

600 Vestavia Parkway, Suite 251

Birmingham, AL 35216

Telephone: (205) 822-2701

Facsimile: (205) 822-2702

mchester@szalaw.com

Alabama Bar No. 3904-L74C

Pro hac vice Lead Counsel